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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CRISTIANE MARIA ARAUJO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p>Respondent.</p>

No. 07-72423

Agency No. A079-653-385

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted February 16, 2010**

Before: FERNANDEZ, GOULD, and M. SMITH, Circuit Judges.

Cristiane Maria Araujo, a native and citizen of Brazil, petitions for review of the Board of Immigration Appeal’s order dismissing her appeal from an immigration judge’s decision denying her motion to reopen removal proceedings

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

conducted in absentia. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen. *Perez v. Mukasey*, 516 F.3d 770, 773 (9th Cir. 2008). We deny the petition for review.

The agency did not abuse its discretion in denying Araujo’s motion to reopen because written notice of the hearing was mailed to the most recent address provided by Araujo, she admitted to receiving the notice, *see* 8 U.S.C. §§ 1229(c), 1229a(b)(5)(A), and she failed to establish that her failure to appear was because of “exceptional circumstances,” *see* 8 U.S.C. § 1229a(e)(1).

PETITION FOR REVIEW DENIED.